

Practitioner's Docket No. 2608

03-04-02

Receipt PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Way
Application No.: 10/046,139
Filed: 01/09/2002
For: Split Wave Method and Apparatus for Transmitting Data in Long-Haul Optical Fiber Systems

Group No.: Not assigned
Examiner: Not assigned

Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 2/5/2002. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

POWER OF ATTORNEY

III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

PRELIMINARY AMENDMENT

IV. Applicant submits a preliminary amendment.

COMPLETION FEES

1. Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$370
2. Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$279
3. Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$84
4. Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$65
5. Assignment (See "ASSIGNMENT COVER SHEET".)	\$40
6. Total completion fees	\$ 838

EXTENSION OF TIME

V. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
Fee Due: \$0

REQUEST FOR CORRECTED FILING RECEIPT

VI. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Error in	Correct data
1. Applicant name and/or addresses	- Winston Way, Irvine, CA
2. Priority Claim	- THIS APPLICATION IS A CIP OF 09/575,811 05/22/2000 AND CLAIMS BENEFIT OF 60/187,383 03/07/2000 AND CLAIMS BENEFIT OF 60/346,786 01/07/2002

At least one of the above corrections is due to applicant's error and the fee under 37 C.F.R. 1.19(h), of \$25.00 applies.

TOTAL FEE DUE

VII. The total fee due is: Completion fees \$838 Extension of Time Fees \$0 Corrected Filing Receipt Fees \$25
TOTAL FEE DUE \$863

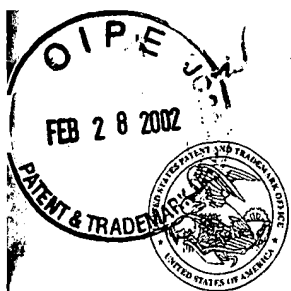
PAYMENT OF FEES

VIII. Charge Account No. 23-2415 (26084-721) in the amount of \$863.
Please charge Account No. 23-2415 (26084-721) for any fees that may be due by this paper.

Paul Davis, Reg. No. 29,204

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 021971

Express Label No. E1713753 048 US
Mailed: 2/28/02
I hereby certify that this paper is being deposited with the US Postal Service "Express Mail Post Office to Address" under 37 CFR 1.10 on the above date, addressed to the Commissioner of Patents, Washington, D.C. 20231

2600
03-04-02

Sector

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/046,139	01/09/2002	Winston Way	26084-721

021971
WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 943041050

2633

CONFIRMATION NO. 9292
FORMALITIES LETTER

OC000000007419902

Date Mailed: 02/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$363.
 - \$279 for 31 total claims over 20.
 - \$84 for 2 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 798.**

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APR 09 2002
Technology Center 2600

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

85



OpVista/26084-721
P.D Page 1 of 2

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2002

UNITED STATES PATENT AND TRADEMARK OFFICE

WILSON SONSINI,
GOODRICH & ROSATI

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/046,139	01/09/2002	2633	0.00	26084-721	5	51	5

CONFIRMATION NO. 9292

021971
WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 943041050

FILING RECEIPT



OC00000007419901

Date Mailed: 02/05/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Winston Way, [Residence Not Provided] **IRVINE, CA--**

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/575,811 05/22/2000
--AND-- [WHICH] CLAIMS BENEFIT OF 60/187,383 03/07/2000
--AND CLAIMS BENEFIT OF 60/346,786 1/7/2002 --

Foreign Applications

If Required, Foreign Filing License Granted 02/04/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Split wave method and apparatus for transmitting data in long-haul optical fiber systems

Preliminary Class

359

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).